

FILED  
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

DEC - 8 2003

STATE OF NEW MEXICO *ex rel.*  
State Engineer,

Plaintiff,  
v.

RAMON ARAGON, *et al.*,

Defendants.

*Robert M. ...*  
CLERK

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM  
Cañones Creek, Section 7

WAIVER OF SERVICE OF SUMMONS

To: Edward G. Newville  
State Engineer Office  
P.O. Box 25102  
Santa Fe, NM 87504-5102

I acknowledge receipt of your request that I waive service of a summons in the action of State of New Mexico *ex rel.* State Engineer v. Aragon, which is case number 69cv07941 JEC-ACE in the United States District Court for the District of New Mexico. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the adjudication suit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that the time allowed within which I must answer the complaint was extended pursuant to the procedural order entered by the court on November 19, 2002, and that I am not obligated to file an answer until December 31, 2003.

*Jose O. Martinez*  
Signature JOSE ONESIMO MARTINEZ,  
JR.

1502 E. HELM AVE  
Address EL C, UT 84115

*Jose Onesimo Martinez*  
Printed or typed name

6-24-03  
Date

RECEIVED

JUN 26 2003

OFFICE OF THE STATE ENGINEER  
LEGAL SERVICES DIVISION

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